AMENDMENTS TO THE CLAIMS:

The listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF THE CLAIMS

1. (Currently Amended)   A method of message delivery from a wireless calling party terminal using a wireless communications network to a called party terminal, wherein the called party terminal has call waiting, the method comprising:

determining that the called party terminal's line is busy;

determining that the called party terminal has call waiting;

delivering a "call waiting no answer" message to the calling party terminal notifying the calling party that the called party has call waiting;

prompting the calling party to leave a message for the called party; and

storing the message from the calling party on the wireless communications network;

the network determining that an undelivered message awaits the called party after the called party terminal's line is no longer busy; and

delivering the message from the calling party to the called party terminal when the called party terminal's line is no longer busy.

2.   Canceled

3.   Canceled

4.   Canceled

5. (Original) The method defined in claim 1 wherein the storing step further comprises storing the message from the calling party in the called party's voice mail.

6. (Original) The method defined in claim 1 further comprising starting a called party call pickup timer after the step of determining that the called party terminal is busy, wherein the step of delivering the "call waiting no answer" message is performed after the call pickup timer expires.

7. (Original) The method defined in claim 6 wherein the call pickup timer includes a predetermined number of rings.

8. (Original) The method defined in claim 6 wherein the call pickup timer includes a predetermined time period.

9. Canceled

10. (Original) The method defined in claim 1 further comprising allowing the called party to disable the method of message delivery thereby preventing the delivering, prompting and storing steps.

11. (Original) The method defined in claim 1 further comprising allowing the calling party to enable the method of message delivery thereby enabling the delivering, prompting and storing steps.

12. (Original) The method defined in claim 11 further comprising allowing the calling party to enable the method of message delivery thereby enabling the delivering, prompting and storing steps even if the calling party does not have call waiting.

13. (Original) The method defined in claim 11 wherein the calling party can enable the method of message delivery thereby enabling the delivering, prompting and storing steps even though the called party has disabled the feature.

14. (Original) The method defined in claim 1 wherein the called party is using a cellular terminal.

15. (Original) The method defined in claim 1 wherein the called party is using a wireline terminal.

16. Canceled

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17. (Currently Amended)   A system for message delivery from a wireless calling party terminal using a wireless communications network to a called party terminal, wherein the called party terminal has call waiting, the method comprising:

means for determining that the called party terminal's line is busy;

means for determining that the called party terminal has call waiting;

means for delivering a "call waiting no answer" message to the calling party terminal notifying the calling party that the called party has call waiting;

means for prompting the calling party to leave a message for the called party; ~~and~~

means for storing the message from the calling party on the network;

means for determining that an undelivered message awaits the called party after the called party terminal's line is no longer busy; and

means for delivering the message from the calling party to the called party terminal when the called party terminal's line is no longer busy.

18.   Canceled

19.   Canceled

20. (Original)   The system defined in claim 17 further comprising a called party call pickup timer, wherein the means for delivering the "call waiting no answer" message delivers the "call waiting no answer" message after the call pickup timer expires.

21. (New)   The method defined in claim 1 wherein the step of the network determining that an undelivered message awaits the called party after the called party terminal's line is no longer busy includes using a called party inter-MSC on-hook message indicating that the called party terminal's line is no longer busy.

22. (New)   The method defined in claim 1 wherein the step of delivering the message from the calling party to the called party terminal when the called party terminal's line is no longer busy includes ringing the called party terminal and delivering the stored message when the called party picks up.

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23. (New)   The system defined in claim 17 wherein the means for determining that an undelivered message awaits the called party after the called party terminal's line is no longer busy uses a called party inter-MSC on-hook message indicating that the called party terminal's line is no longer busy.

24. (New)   The system defined in claim 17 wherein the mean for delivering the message from the calling party to the called party terminal when the called party terminal's line is no longer busy includes means for ringing the called party terminal and means for delivering the stored message when the called party picks up.